

10-09-02

GP 1651+



Express Mail No: EV110549523US
Attorney Docket: 22091-701

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

In Re the Application of: John L. Schenk

Serial Number: 09/478,299

Filed: January 5, 2000

Parent Title: Method of Cryopreserving Selected Sperm Cells

Group Art Unit: 1651

Examiner: M. Meller

Assignee: XY, Inc.

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OCT 15 2002

TECH CENTER 1600/2900

LETTER OF TRANSMITTAL

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

Enclosed for filing are:

- 1) three copies of Appellants' Brief pursuant to 37 C.F.R. 1.192;
- 2) a Petition for Extension of Time;
- 3) a Request for Oral Hearing;
- 4) a check in the amount of \$1,280.00 payable to The Commissioner of Patents and Trademarks for an Appeal Brief (\$160.00), a Request for Oral Hearing (\$140.00), and a Petition for a five Month Extension of Time (\$980.00);
- 5) a Certificate of Express Mailing for each document;
- 6) this Letter of Transmittal and a postcard receipt for return to the undersigned.

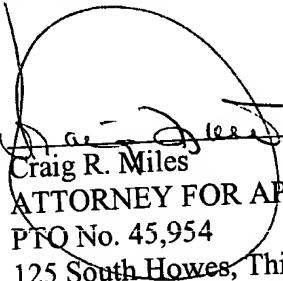
Please confirm receipt of the documents by applying your date stamp on the enclosed postcard receipt and returning it to me.

Dated this 7 day of October, 2002.

Respectfully Submitted,

SANTANGELO Law Offices, P.C.

By:


Craig R. Miles
ATTORNEY FOR APPLICANT
PTO No. 45,954
125 South Howes, Third Floor
Fort Collins, Colorado 80521
(970) 224-3100

appealbr.xmt

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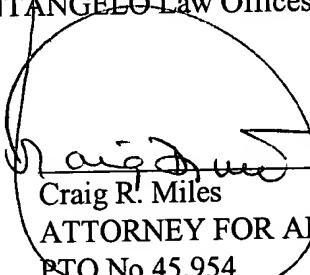
REQUEST FOR ORAL HEARING

Appellants request an oral hearing on the above appeal. The fee required by 35 U.S.C. §41(a)(6) and 37 C.F.R. §1.17(g) for this request is enclosed.

Dated this 7 day of October, 2002.

Respectfully Submitted,
SANTANGELO Law Offices, P.C.

By:


Craig R. Miles
ATTORNEY FOR APPLICANT
PTO No.45,954
125 South Howes, Third Floor
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CERTIFICATE OF EXPRESS MAILING

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.

2. I have this day deposited the attached Request for Oral Hearing with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Dated this 7 day of October, 2002.

Cheryl A. Swanson
Cheryl A. Swanson